

DEPARTMENT OF PLANNING  
STAFF REPORT

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**PLANNING COMMISSION PUBLIC HEARING**

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**DATE OF HEARING: February 19, 2009**

**ZCPA 2007-0003**

**DULLES 28 CENTRE**

**DECISION DEADLINE: February 19, 2009**

**ELECTION DISTRICT: Dulles    PROJECT PLANNER: Marchant Schneider**

**EXECUTIVE SUMMARY**

Dulles 28 Associates, LLLP (formerly North Dulles Retail Associates LP), and Dulles 28 Hotel One, LLC, have submitted a Zoning Concept Plan Amendment (ZCPA) application to amend the concept plan and proffers approved with ZMAP 1989-0021 and ZCPA 1998-0007, Dulles 28 Centre.

The application proposes to amend the mix of uses permitted to be developed on the Dulles 28 Centre site west of Pacific Boulevard to include the option to develop up to 225,000 square feet of hotel use and up to 453,000 square feet of office use with no resulting change in development density. Approximately 115,000 square feet of hotel use has been developed east of Pacific Boulevard. The application also proposes to increase the permitted floor area east of Pacific Boulevard to permit the existing hotel use to increase hotel development by 20,000 square feet. The increase in floor area is a result of the abandonment of a portion of Commercial Drive right-of-way at its former intersection with Route 28.

The area is governed by the policies of the Revised General Plan (Suburban Policy Area, Sterling Community) and the Countywide Retail Policy Plan Amendment, which designate this area for Keynote Employment uses with a Destination Overlay at a floor area ratio (FAR) up to 0.4.

The subject property is approximately 47.13 acres in size and is zoned PD-CH (Planned Development – Commercial Highway). The application is subject to the 1972 Zoning Ordinance and is located within the Route 28 Taxing District. The property is also located within the AI (Airport Impact) Overlay District, outside of but within one (1) mile of the Ldn 60. The property is also located partially within the FOD (Floodplain Overlay District).

## RECOMMENDATION

Staff recommends that the Planning Commission forward the proposed application to a Planning Commission worksession for further discussion of the requested concept plan revisions; specifically, implementation of Green Infrastructure, Keynote Employment, and Destination Retail policies of the Revised General Plan (RGP) (See Outstanding Issues, page 11).

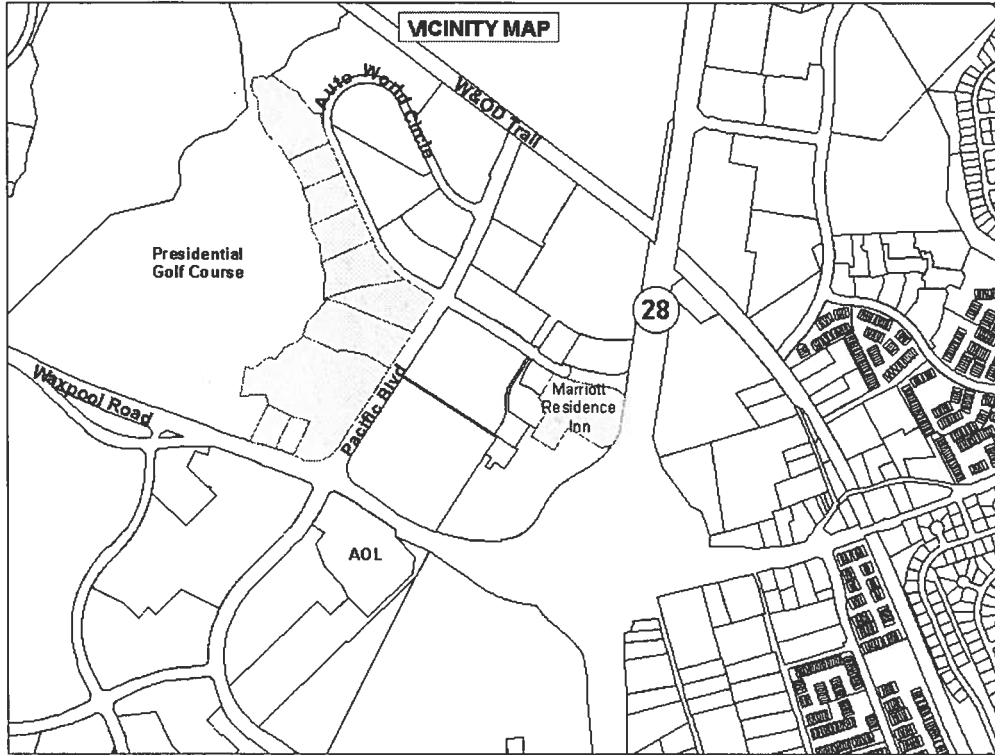
## SUGGESTED MOTIONS

1. I move that the Planning Commission forward ZCPA 2007-0003, Dulles 28 Centre, to a subsequent worksession for further discussion. *[A timeline extension from the Applicant will be necessary]*

OR,

2. I move an alternate motion.

## VICINITY MAP



Created by the Department of Planning, August 12, 2008. All boundaries are approximate.

### Directions:

From Leesburg, take Route 7 east to Route 28 south. Travel west on Waxpool Road (Route 625). The subject property is located on the north side of Waxpool Road, northwest of its intersection with Pacific Boulevard, approximately ¼ mile from the intersection of Route 28 and Waxpool Road.

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## I. APPLICATION INFORMATION

### APPLICANTS

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**(formerly North Dulles Retail Associates, LP)**  
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Kensington, MD 20895-1043

**Dulles 28 Hotel One, LLC**  
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Kensington, MD 20895-1043

### REPRESENTATIVE

**Reed Smith, LLP**  
Ann E. Goode, AICP & Ben Tompkins, Esquire  
44084 Riverside Parkway, Suite 300  
Leesburg, Virginia 20176

### APPLICANTS' REQUEST

A **Zoning Concept Plan Amendment (ZCPA)** to revise the approved Concept Development Plan for ZMAP 1989-0021 and ZCPA 1998-0007, Dulles 28 Centre to expand the square footage of permitted hotel use by 20,000 square feet east of Pacific Boulevard and to change the mix of uses permitted west of Pacific Boulevard to incorporate up to 453,000 square feet of office use and up to 225,000 square feet of hotel use. The application was accepted on August 15, 2007.

### LOCATION

North of Waxpool Road (Route 625), west of Route 28, and south of the W&OD Trail, Sterling, Virginia

### PROPERTY/PARCEL #

043-37-0448	043-37-2508	043-27-3683
043-27-4656	043-27-5728	043-17-8099
043-17-5778	043-17-2630	043-16-9304
043-19-5918	043-19-3414	

### ZONING

PD-CH (Planned Development – Commercial Highway) (1972 Ordinance)

### ACREAGE OF SITE

47.13 acres

## SURROUNDING ZONING/ LAND USES

	ZONING	PRESENT LAND USES
NORTH	PD-IP	W&OD Trail/Vacant
SOUTH	R-2, PD-IP, PD-OP	Waxpool Road/Commercial/AOL
EAST	PD-GI, C-1, R-2, PD-IP	Route 28/Commercial
WEST	PD-CH	Presidential Golf Course / Vacant

## II. REFERRAL AGENCY COMMENT SUMMARY

TOPIC / ISSUE AREA	ISSUES EXAMINED AND STATUS
Comprehensive Plan	<ul style="list-style-type: none"> <li>○ Conformance with <u>Revised General Plan</u> (RGP) (Suburban Policy Area – Sterling Community). Identify development on Concept Development Plan (CDP) as either Keynote Employment or Destination Retail. Status: <b>Unresolved</b></li> <li>○ Provide commitment to previously permitted office development (65,000 square feet). Status: <b>Unresolved</b></li> <li>○ Provide catchment area / market study to determine demand and viability of hotel use or otherwise commit to full-service hotel facilities to include meeting space and dining service in support of office use (Keynote Employment). Status: <b>Unresolved</b>.</li> <li>○ Commit to site design elements (expand proffered design guidelines to include multi-story office development adjacent to Waxpool Road, parking behind buildings and/or screened, enhanced landscaped screening of office uses). Status: <b>Unresolved</b></li> <li>○ Identify size, location, phasing, and features of public open space and civic use. Status: <b>Unresolved</b>.</li> <li>○ Depict bicycle and pedestrian connections along property frontage to Waxpool Road, Pacific Boulevard, Auto World Circle, internal to project site and development east of Pacific Blvd. Bicycle racks to be provided at all uses. Status: <b>Unresolved</b></li> <li>○ Delineate Green Infrastructure elements on subject property (streams and floodplains, steep slopes, and associated management buffers). Status: <b>Unresolved</b>.</li> <li>○ Implement Green Infrastructure policies (conserve wetlands, surface waters, forest resources, steep slopes, habitat). Status: <b>Unresolved</b>.</li> <li>○ Designate existing vegetation on the northern parcel and along jurisdictional waters in southern portion of the subject property as tree conservation areas. Status: <b>Unresolved</b></li> <li>○ Archeological investigation of the project site. Status: Completed. No further archaeological investigations recommended.</li> <li>○ Provide noise attenuation to mitigate traffic noise associated with hotel development adjacent to Waxpool Road and Pacific Boulevard (major</li> </ul>

TOPIC / ISSUE AREA	ISSUES EXAMINED AND STATUS
	collector roads). Status: Resolved by proffer 8.
Environmental Review	<ul style="list-style-type: none"> <li>○ Provide commitments to Low Impact Design (LID) / water quality measures for stormwater management. Status: <b>Unresolved</b></li> <li>○ Prioritize wetland and stream mitigation. Status: <b>Unresolved</b></li> <li>○ Recommend commitments to Green Building Practices (LEED). Status: Resolved</li> </ul>
Zoning	<ul style="list-style-type: none"> <li>○ Notation, graphic, zoning reference, and tabular revisions. Status: <b>In progress</b></li> </ul>
Transportation	<ul style="list-style-type: none"> <li>○ Address Waxpool Road / Pacific Boulevard intersection LOS F. A revised traffic study should include the LOS improvements resulting from the Pacific Boulevard Extension Project. Status: <b>Unresolved</b></li> <li>○ Delineate site access on the Concept Plan. Access should be compatible to VDOT standards. Entrance south of Commercial Drive not supported. Status: <b>Unresolved</b></li> <li>○ Address potential traffic delay at Waxpool Road / Pacific Boulevard intersection with revised proposal. Status: <b>Unresolved</b></li> <li>○ Construct / provide R.O.W. for 10' multi-purpose trail along property frontage to Pacific Boulevard matching facilities north of Dulles 28 Centre consistent with Bicycle and Pedestrian Mobility Master Plan. Status: <b>Unresolved</b></li> <li>○ Demonstrate proffer compliance to include traffic signalization at Pacific Boulevard / Commercial Drive. Status: <b>Unresolved</b></li> </ul>
County Attorney	<ul style="list-style-type: none"> <li>○ Proffer Statement review and approval to legal form. Status: <b>In progress</b></li> </ul>
Disclosure of Real Parties in Interest	<ul style="list-style-type: none"> <li>○ Received dated January 16, 2009</li> </ul>

### III. Conclusions

1. The proposed hotel and office land uses are consistent with the Revised General Plan (RGP) and the Countywide Retail Policy Plan Amendment which designate this area for Keynote Employment uses with a Destination Overlay at a floor area ratio (FAR) up to 0.4.
2. The proposed Zoning Concept Plan Amendment (ZCPA) application is consistent with the Concept Development Plan (CDP) and proffers associated with ZMAP 1989-0021 and ZCPA 1998-0007, Dulles 28 Centre, with no resulting change in development density.

3. Subject to administrative revisions to the Concept Development Plan (CDP) and proffer statement, the application is in accordance with the 1972 Zoning Ordinance.
4. It has not been determined by staff whether the local or regional road network will be adversely impacted as a result of the requested development of up to 453,000 square feet of office or up to 225,000 square feet of hotel use.
5. The proposed ZCPA application proposes pedestrian improvements which will assist in the implementation of the Revised Countywide Transportation Plan. The timing, extent, and design of the improvements continues to be discussed.
6. It has not been determined by staff that the ZCPA application preserves appropriate environmental resources and minimizes impacts on state waters and wetlands on the subject property. Stormwater management measures and water resource management buffers continue to be discussed.

## **IV. PROJECT REVIEW**

### **A. CONTEXT**

#### **Background**

The Applicants are seeking to revise the mix of uses approved with the Dulles 28 Centre Concept Plan (ZMAP 1989-0021). The Dulles 28 Centre site was rezoned PD-CH (Planned Development-Commercial Highway) in 1987 to facilitate the development of an auto-park and related services (ZMAP 1986-0001). In 1989, additional parcels were added to the Dulles 28 Centre concept development plan (ZMAP 1988-0014) and the concept plan and proffers were amended to allow 1,013,000 square feet of office, retail, hotel and theater uses in addition to auto-related uses (ZMAP 1989-0021). ZMAP 1989-0021 established three land bays (North Commercial and South Commercial east of Pacific Boulevard and Auto west of Pacific Boulevard), which set forth the permitted land uses and square footages (see map and chart below). ZCPA 1997-0002 and ZCPA 1998-0007 further amended the concept plan and proffers to permit the transfer of 453,000 square feet of retail and commercial uses from the North Commercial land bay to the Auto land bay west of Pacific Boulevard. Likewise, auto dealers and auto-related uses could be developed east of Pacific Boulevard, north of Commercial Drive. Subsequent Special Exception (SPEX) and ZCPA applications were submitted in 1999 and 2006 to permit golf course and golf club use within the 100 year floodplain of the Broad Run located on the Dulles 28 Centre site.

CarMax, Volvo, Nissan, and BMW auto dealerships have been developed within the North Commercial land bay. Wegman's grocery anchors the South Commercial Landbay and includes a Target and inline retail. A Marriott Residence Inn has also been constructed. No development has occurred within the landbay west of Pacific Boulevard.



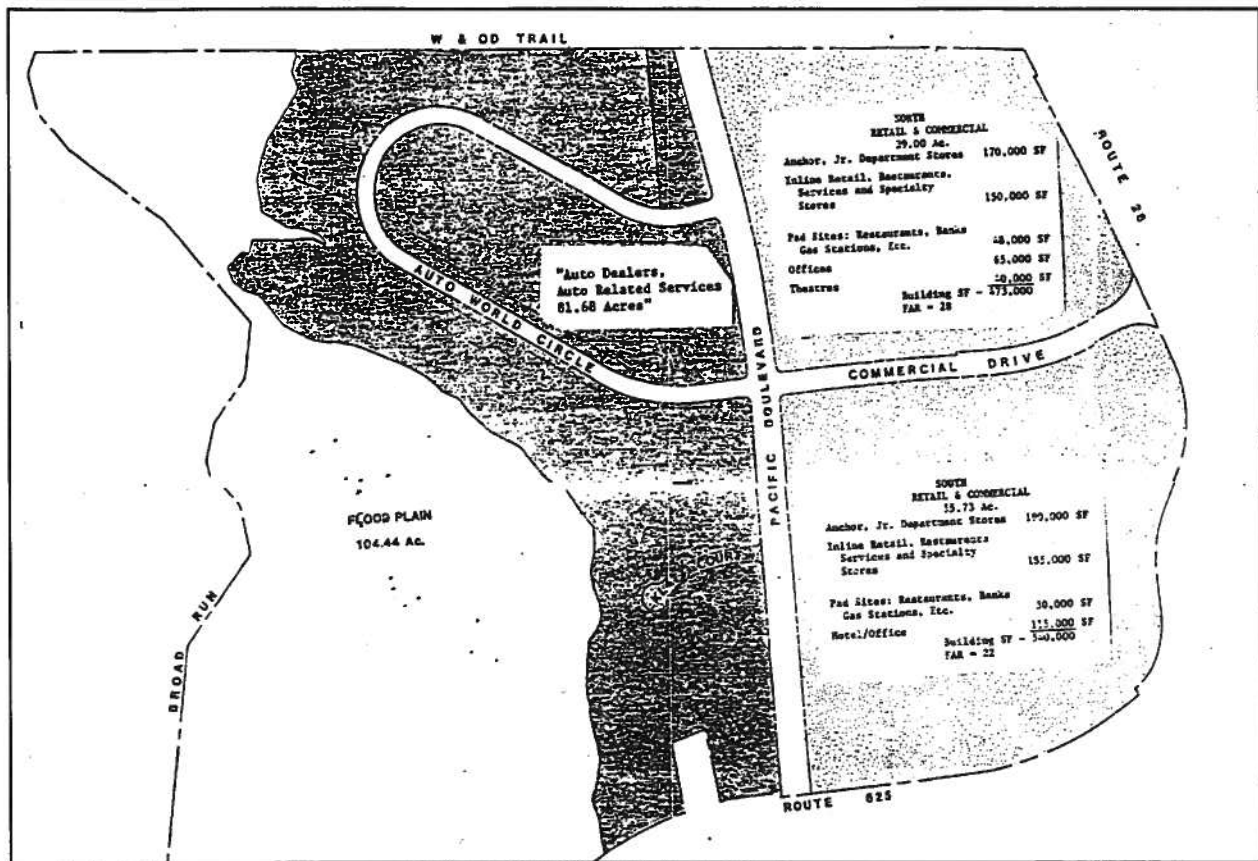


Figure 1. ZMAP 1989-0021, Dulles 28 Centre

Type of Use	Northeast Landbay	Southeast Landbay	Total Permitted	Constructed to date
Anchor Retail	170,000 sq.ft.	190,000 sq.ft.	360,000 sq.ft.	277,307 sq.ft.
Inline Retail	150,000 sq.ft.	185,000 sq.ft.	335,000 sq.ft.	119,271 sq.ft.
Pad Site	48,000 sq.ft.	50,000 sq.ft.	98,000 sq.ft.	33,150 sq.ft.
Office	65,000 sq.ft.	0	65,000 sq.ft.	0
Hotel/Office	0	115,000 sq.ft.	115,000 sq.ft.	115,000 sq.ft.
Theater	40,000 sq.ft.	0	40,000 sq.ft.	0
<b>Total</b>	<b>473,000 sq.ft.</b>	<b>540,000 sq.ft.</b>	<b>1,013,000 sq.ft.</b>	<b>544,728 sq.ft.</b>

Figure 2. Approved Commercial Uses East of Pacific Boulevard, ZMAP 1989-0021.  
 (Auto and Auto-related uses permitted West of Pacific Boulevard not to exceed 0.4 FAR)

## Proposed Development

As noted above, the application proposes to amend the mix of uses permitted to be developed on the Dulles 28 Centre site west of Pacific Boulevard to include the option to develop up to 225,000 square feet of hotel use and up to 453,000 square feet of office use with no resulting change in development density. Approximately 115,000 square feet of hotel use has been developed east of Pacific Boulevard. The application also proposes to increase the permitted floor area east of Pacific Boulevard to permit the existing hotel use to increase hotel development by 20,000 square feet. The increase in floor area is a result of the abandonment of a portion of Commercial Drive right-of-way at its former intersection with Route 28.

Figure 3 indicates the types and categories of uses not yet developed but permitted by ZMAP 1989-0021 and ZCPA 1998-0007 in comparison to the requested uses.

Requested Uses (West of Pacific Boulevard)	Quantity (gross sq.ft.)	
	Remaining to be developed per ZMAP 1989-0021	Proposed (Aggregate not to exceed 453,000)
Office	65,000 sq.ft.	up to 453,000 sq.ft.
Hotel	0	up to 225,000 sq.ft.

**Figure 3: Available Quantity of Approved Uses and Proposed Use Distribution and Quantity Increase**

## Location

The subject property encompasses approximately 47.13 acres of the 195+ acre Dulles 28 Centre and is located in the Sterling community of the Suburban Policy Area, west of Route 28 and on the north side of Waxpool Road (See Vicinity Map, Page 3). Other developments surrounding the site include the undeveloped ParagonPark to the north, AOL campus to the south, and Presidential golf course and club house to the west.

## Transportation

The subject parcel will be accessed via Pacific Boulevard and Autoworld Circle. Sidewalk connections are to be provided along frontages of Waxpool Road, Pacific Boulevard, and Autoworld Circle.

The Pacific Boulevard Extension Project (State Project 1036-053-303) is to connect existing sections of Pacific Boulevard from Autoworld Circle to West Severn Way. The project includes a grade separated crossing of the W&OD Trail and a 10-foot wide shared use path west of Pacific Boulevard and sidewalk improvements east of Pacific Boulevard.

The Applicants' traffic impact study dated July 2007 indicates development of 250,000 square feet of office use and 180,000 square feet of hotel use on the subject property will generate approximately 6,586 daily trips, or a 63% reduction to daily trips attributed to the approved mix of office and retail uses currently allowed on the subject property.

### **Site Conditions**

The subject property is predominantly wooded. Immediately west of the property is a golf course within the 100-year floodplain of the Broad Run. Minor floodplain, steep slopes, and wetland areas associated with the Broad Run and associated drainageways exist on the subject property.

## **B. SUMMARY OF OUTSTANDING ISSUES**

Staff recommends that the following issues be addressed by the Planning Commission:

1. **Keynote Employment / Destination Retail Policies.** The subject site is planned for Keynote Employment with a Destination Retail overlay. The Retail Plan specifies that a property located within a Destination Retail overlay area may develop either as Destination Retail uses or as a use that conforms to the land use designation underlying the Destination Retail overlay (Keynote Employment). The Applicants' request flexibility to develop up to 453,000 square feet of either office or retail uses, up to 225,000 square feet of hotel use, or any combination thereof. Staff has requested additional information regarding layout and design, commitments to public open space and civic space, commitments to hotel services, and commitments to bicycle/pedestrian facilities in order to determine that the intent of RGP policies in support of both land use designations are being met. Staff has recommended that the Applicant designate areas on the CDP for either Keynote Employment or Destination Retail, including additional design guidelines beyond those previously proffered with ZCPA 1998-0007. For example, property frontage along Waxpool Road could be designated for Keynote Employment uses to emphasize the Waxpool Road corridor as a prominent business corridor, consistent with RGP Policies. The issue continues to be discussed with the Applicants (See Overall Analysis, Page 12).
2. **Green Infrastructure Policies.** Elements of the countywide Green Infrastructure are found on the subject site, including existing forest cover and moderately and very steep slopes, natural drainage ways, wetlands, and minor floodplain associated with the Broad Run. The RGP directs that development should take place around these elements, incorporating them into the design of the site. The Applicants state the small area that meets the criteria of being in the River and Stream Corridor is

comprised of a steep slope that has been disturbed by sewer line installation and is largely cut off from the boundaries of an altered floodplain by cart paths on the adjacent golf course. Further, protections are otherwise provided by development conditions associated with approval of the golf course. The Applicants have alternatively agreed to incorporate a retention (wet) pond on the site in order to meet RGP policies regarding water quality protection of the Broad Run. Staff has recommended that the Applicants explore protecting the jurisdictional waters that feed into the existing stormwater management pond to include existing tree cover surrounding these jurisdictional waters as well as preservation of existing tree cover in the northwest parcel of the subject property. The issue continues to be discussed with the Applicants (See Overall Analysis, Page 13).

3. **Transportation.** The Applicants' July 2007 traffic impact study indicates the intersection of Waxpool Road and Pacific Boulevard operates at LOS F under existing and forecasted buildout (2011). Office of Transportation Services (OTS) Staff has recommended the Applicants' traffic study be revised to adjust the build out year and include traffic movements associated with completion of the Pacific Boulevard Extension project north of the subject site. Also, staff recommends the revised study evaluate the requested option to develop up to 453,000 square feet of office and 225,000 square feet of hotel use. The Applicants' previously submitted study evaluates the traffic impact of 250,000 square feet of office use and 180,000 square feet of hotel use.

OTS staff does not support a second access point onto the site south of the intersection of Pacific Boulevard and Commercial Drive due to the short distance between the entrance and Waxpool Road. Staff will brief the Planning Commission at the public hearing on the status of the staff review of the Applicants' January 15, 2009, response to Office of Transportation Services (OTS) comments. (See Overall Analysis, Page 18).

4. **Zoning Administration.** Staff continues to evaluate the application to ensure the proposal is in accordance with the 1972 Zoning Ordinance. Staff will brief the Planning Commission at the public hearing on the status of the staff review of the Applicants' January 15, 2009, response to Zoning referral comments.

### C. OVERALL ANALYSIS

#### REVISED GENERAL PLAN (RGP)

##### Land Use

The subject site is planned for Keynote Employment with a Destination Retail overlay. As such, the property may develop with either Destination Retail uses or Keynote employment uses. Keynote Employment Centers are intended as prominent office developments along high visibility corridors such as Route 28 to include ancillary retail and personal services (up to 10% of the gross land area or 4.1 acres). Destination

Retail areas are planned to offer a variety of comparative and specialty retail shopping goods. The Retail Plan specifies that a property located within a Destination Retail overlay area may develop either as Destination Retail uses or as a use that conforms to the land use designation underlying the Destination Retail overlay (Keynote Employment).

As proposed, no minimum commitment to develop office or hotel uses is required. The Applicants' request is to permit up to 453,000 square feet of either office or retail uses, up to 225,000 square feet of hotel use, or any combination thereof. The Applicants' justification of a combination of uses is to permit maximum flexibility when developing the subject site; however, without additional information regarding layout and design, staff cannot determine that the intent of RGP policies in support of both land use designations is being met. Staff has recommended that the Applicant designate areas on the CDP for either Keynote Employment or Destination Retail, including additional design guidelines beyond those previously proffered with ZCPA 1998-0007. For example, property frontage to Waxpool Road could be designated for Keynote Employment uses to emphasize the Waxpool Road corridor as a prominent business corridor. The issue continues to be discussed with the Applicants. The issue of designation of Keynote Employment and Destination Retail uses on the subject property remains outstanding.

#### Market Study for Hotel Use

In addition to a request to develop up to 225,000 square feet of hotel use west of Pacific Boulevard, the Applicants also seek to expand an existing Marriott Residence Inn located east of Pacific Boulevard and south of Commercial Drive. The requested 20,000 square feet would increase the hotel from approximately 115,000 square feet to 135,000 square feet. Hotels are generally considered employment-supportive whereby the use is intended to serve employees and businesses of nearby office developments (Keynote Employment uses). As such, proposed hotels should include a full range of services and amenities such as an onsite restaurant and lounge, room service, meeting facility, pool, fitness center, and/or business center. Staff notes that approximately 14 hotels are located within 2.5 miles of the proposed site, 13 of which are Select Service hotels<sup>1</sup>. While Smith Travel Research (STR) reports that hospitality services within Loudoun County continue to sustain an acceptable rate of occupancy<sup>2</sup>, a surplus of room supply, especially within a particular hotel segment, can negatively impact room revenue.

As part of hotel development west of Pacific Boulevard, the Applicants have proposed 2,000 square feet of dividable meeting space and the provision of a restaurant onsite or within ½ mile of hotel development. Staff has recommended the hotel provide the

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<sup>1</sup> A Select Service – or Limited Service Hotel – is generally defined as a hotel without food and beverage service and with few or no amenities such as meeting facilities, pool, fitness center, business center, etc.

<sup>2</sup> Smith Travel Research, Standard Historical Trend, Loudoun County, Virginia, January 2006 through April 2008.

restaurant onsite consistent with full-service hotel commitments associated with Keynote Employment development north of the site and also adjacent to Route 28 (Paragon Park, SPEX 2007-0034). The issue of provision of full-service amenities for hotel use on the subject site in support of Keynote Employment policies remains outstanding.

### **Existing Conditions**

The Green Infrastructure is a collection of natural, cultural, heritage, environmental, protected, passive and active resources that will be integrated in a related system. Elements of the countywide Green Infrastructure are found on the subject site, including existing forest cover and moderately and very steep slopes, natural drainage ways, and wetlands associated with the Broad Run. Minor and major floodplains associated with Broad Run are adjacent to the western boundary of the site. A golf course has been developed adjacent to the subject property within the noted minor and major floodplain. The RGP directs that development should take place around these elements, incorporating them into the design of the site. Such an approach places a priority on preserving both sensitive environmental and man-made features.

In response to staff recommendations that the noted Green Infrastructure be preserved (specifically, the 50-foot management buffer the 100-year floodplain and associated steep slopes), the Applicants state the small area that meets the criteria of being in the River and Stream Corridor is comprised of a steep slope that has been disturbed by sewer line installation and is largely cut off from the boundaries of an altered floodplain by cart paths on the adjacent golf course. Further, protections are otherwise provided by development conditions associated with approval of the golf course.

The Applicants have alternatively agreed to incorporate a retention (wet) pond on the site in order to meet RGP policies regarding water quality protection of the Broad Run. The Applicants also state extensive tree cover and tree save exists on the adjacent golf course site. Portions of the subject property have been previously graded and the remaining tree stands are dominated by Virginia Pine, an undesirable tree species for preservation. Also, a landscaping plan was previously approved for Dulles 28 and will guide replacement of tree cover lost on the site.

Staff notes that the River and Stream Corridor resource in its entirety is not delineated on the Existing Conditions Map included with the Concept Development Plan. The floodplain limits are not accurately shown in the southern portion of the subject property nor is the 50-foot management buffer surrounding the floodplains and adjacent steep slopes. While the River and Stream Corridor resource has been impacted in the past, it is the position of staff that opportunities exist for environmental enhancements on the subject site. Staff suggests that the Applicants explore protecting the jurisdictional waters that feed into the existing stormwater management pond and the existing tree cover surrounding these jurisdictional waters. The noted area lends itself as a clear separation between Keynote Employment uses to the south and the Destination Retail uses to the north as recommended above. Also, the Dulles 28 Centre Open Space

Area Exhibit included as Attachment 6 delineates the northern-most parcel as open space. Staff recommends designating existing vegetation within the parcel as well as existing vegetation along the jurisdictional waters in the southern portion of the subject property as tree conservation areas.

RGP policies pertaining to existing tree cover, river and stream corridor resources continue to be discussed with the Applicants. The issue remains outstanding.

### **Site Design**

The RGP calls for new development within the Suburban Policy Area to achieve and sustain a built environment of high quality. The RGP and the Retail Plan provide a number of design guidelines that are applicable to this project. The subject property is subject to design guidelines and a landscape plan as proffered with ZCPA 1998-0007; however, several design standards are recommended to ensure the intent of the Plan is being met with the development of the proposed hotel and office use.

### **Keynote Employment**

Keynote Employment developments are envisioned as large-scale, prominent, high visual quality office structures with heavily landscaped and tree-lined boulevards as modeled by the AOL headquarters, south of the subject site. Further, parking should be located behind office structures and/or screened from view. Proffer 3B calls for all office buildings constructed west of Pacific Boulevard to be a minimum of three stories; however, no other commitments are included to ensure office uses will comply with the Keynote Employment policies of the Plan. Staff understands the configuration of the site as well as environmental constraints make it difficult to achieve a campus-like Keynote Employment development with heavily landscaped greens; however, additional landscaping could be provided in an effort to meet the intent of the RGP. Also, as noted above, property frontage to Waxpool Road could be designated for Keynote Employment uses to emphasize the Waxpool Road corridor as a prominent business corridor, consistent with the RGP policy. Staff and the Applicants continue to discuss the issue.

### **Open Space and Civic Space**

The Plan calls for Keynote Employment centers to provide a minimum of 10% open space (4.1 acres on the subject property) and 5% civic space (2.0 acres on the subject property). Open space should consist of natural areas such as, forests, wetlands, or meadows; trails and trail connections; water features or amenities while civic space should consist of plazas, public art, or entrance features. Buffer areas, "leftover spaces", and parking and street landscaping cannot account for more than 25% of the required open space.

Proffer 3i approved with ZCPA 1998-0007 states “the applicant shall endeavor to identify and create useable outdoor spaces....” In response to staff comment, the Applicant has incorporated 2,000 square feet of civic space around the on-site stormwater management pond. Staff has recommended the Applicants commit to the types of features associated with the space to include a picnic pavilion or other suitable covered seating area.

The Applicants state the subject property is part of the Dulles 28 Centre master plan and is intentionally designed around the Broad Run floodplain so that 40% of the Dulles 28 Centre site remains as open space. Therefore, no additional open space is proposed with the application. As noted above, the Dulles 28 Centre Open Space Area Exhibit included as Attachment 6 delineates the northern-most parcel as open space. However, the same open space is not identified as such on the Concept Development Plan. Further, staff has recommended designating existing vegetation along the jurisdictional waters in the southern portion of the subject property as tree conservation areas. Both situations create opportunities to meet plan policy with regard to open space on the subject property. The issue of open and civic space on the subject property continues to be discussed.

#### Pedestrian and Bicycle Circulation

The County is committed to establishing an integrated trails system for pedestrians and cyclists and will work to establish connections among pedestrian and bicycle sidewalks, paths, and trails. The Bicycle and Pedestrian Mobility Master Plan and the Revised Countywide Transportation Plan identify Waxpool Road and Pacific Boulevard as priority bicycle routes. The ultimate condition for Waxpool Road in this location is proposed to be six lanes, therefore warranting a shared use path on both sides of the roadway. Shared use paths, conforming to AASHTO standards, should be 10-feet wide and paved.

The Pacific Boulevard Extension project is scheduled for completion by 2011. Once complete, Pacific Boulevard will provide a critical link between the W&OD Trail and employment uses north and south of the Trail.

The Applicants propose a 4-foot wide sidewalk along the property's Pacific Boulevard and Waxpool Road frontage to match existing sidewalks along Pacific Boulevard north of the subject site and along Waxpool Road west of the site. However, staff recommends the Applicant provide a 10-foot wide trail along Pacific Boulevard consistent with approved development north of the W&OD Trail. Staff also recommends revising the CDP to show a shared use path conforming to AASHTO standards along Waxpool Road. The issue continues to be discussed with the Applicants.



## **ENVIRONMENTAL REVIEW**

### **Stormwater Management / Surface Water Protection**

The RGP calls for implementation of Low Impact Development (LID) techniques which integrate hydrologically functional designs with existing methods for preventing water pollution. Best Management Practices (BMPs) in conjunction with innovative site designs incorporating LID measures can reduce sedimentation and erosion and maintain the overall water quality of the Broad Run and its associated tributaries. Plan policies also call for no net loss to wetlands in the County and that the County prioritize receiving sites for the construction of new wetlands.

The Applicants have alternatively agreed to upgrade an existing stormwater management facility to a wet pond with wetland bench and plantings. Further, the Applicants state protections provided in the conditions of approval associated with the adjacent golf course address water quality and will otherwise mitigate impact of development of the subject property.

Through staff discussions with the Water Resources Team within the Department of Building and Development, such an upgrade to address water quality measures would otherwise be required upon development of the subject property. Additional measures are recommended. Also, if the disturbance of the drainageways and wetlands onsite cannot be avoided, staff recommends the applicant commit to prioritizing mitigation as follows: (1) onsite, (2) within the Broad Run Watershed within the same Planning Policy Area, (3) within the Broad Run Watershed outside the Planning Policy Area, and (4) Loudoun County, subject to approval by the U.S. Army Corps of Engineers and the Virginia Department of Environmental Quality. The issue continues to be discussed and remains outstanding.

### **Building Efficiency / LEED**

RGP policies state the County will emphasize its role as a leader, facilitator, and source of information on environmental design options and procedures when implementing its program for achieving and sustaining a built environment of high quality. The County supports energy efficiency in building construction and staff suggests land use proposals incorporate the Green Building Practices endorsed by the United States Green Building Council's Leadership and Energy and Environmental Design (LEED) program in order to achieve the County's Green Infrastructure Policies and Planning Approaches to water conservation, solid waste management, and air quality.

In response to staff suggested commitments to LEED practices the Applicants state the developer of the project, Lerner Enterprises, typically provides LEED equivalent features in its current developments. However, because of uncertainties regarding the timing of development of the subject property, a commitment to a particular set of standards, such as LEED, which may be revised or supplanted, is of concern. The

Applicants' proffer statement does include commitments to bicycle facilities, including showers, in order to promote the subject site's proximity to the W&OD Trail.

## **ZONING**

Staff has identified technical and administrative amendments to the Concept Development Plan (CDP) and proffer statement (See Attachment 1b). Staff continues to evaluate the Applicants' January 15, 2009, submission and will provide an update to the Planning Commission at the public hearing.

## **TRANSPORTATION**

### **Existing, Planned and Programmed Roads**

The subject parcel will be accessed via Pacific Boulevard and Autoworld Circle. Pacific Boulevard is a 4-lane, median divided major collector road within a 120 foot right of way. Pacific Boulevard at this location is constructed to its ultimate configuration. Left and right turn lanes are required at all intersections. Sidewalk connections are to be provided along frontage to Pacific Boulevard, Autoworld Circle, and Waxpool Road.

The Pacific Boulevard Extension Project (State Project 1036-053-303) is to connect existing sections of Pacific Boulevard from Autoworld Circle and West Severn Way. The project includes a grade separated crossing of the W&OD Trail and a 10-wide shared use path and sidewalk improvements along Pacific Boulevard.

At build out, the Applicants' traffic impact study indicates the requested uses on the subject property will generate approximately 6,586 daily trips, a 63% reduction to daily trips attributed to the approved mix of office and retail uses on the subject property.

### **Summary of Transportation Issues**

#### **Level of Service (LOS)**

The Applicants' traffic impact study dated July 2007 demonstrates a Level of Service (LOS) D or better for the majority of roadways anticipated to serve the proposed use, both under existing conditions and upon development of the requested hotel and office use. The intersection of Waxpool Road and Pacific Boulevard is shown to operate at LOS F under existing conditions and upon build-out. The Countywide Transportation Plan (CTP) specifies a LOS D or better as an acceptable level of service. Office of Transportation Services (OTS) Staff has recommended the Applicants' traffic study be revised to adjust the forecasted build out year (later than 2011) and include traffic movements associated with completion of the Pacific Boulevard Extension project north of the subject site. Also, staff recommends the revised study evaluate the requested option to develop up to 453,000 square feet of office and 225,000 square feet of hotel use. The Applicants' previously submitted study evaluates the traffic impact of 250,000 square feet of office use and 180,000 square feet of hotel use.

Should LOS F continue to be shown at the Waxpool Road / Pacific Boulevard intersection as a result the revised impact study, OTS staff has recommended the consultant identify additional improvements to address the problem to include the possibility of traffic signalization at the Pacific Boulevard / Commercial Drive intersection. In response, the Applicants state such research should already exist as part of the planning process for the Pacific Boulevard Extension project. Further, no additional square footage or increase in trip daily trip generation is anticipated. Staff and the Applicants continue to discuss the issue.

#### Points of Access – Pacific Boulevard

OTS staff does not support a second access point to the site south of the intersection of Pacific Boulevard and Commercial Drive due to the short distance between the entrance and Waxpool Road. Further, the noted entrance is not identified on approved construction plan CPAP 1990-0900, Dulles 28 Centre. The Applicants have restricted the access point to right in / right out only and notes the entrance was identified on previous applications for the subject site. The issue continues to be discussed.

#### **COUNTY ATTORNEY**

The Applicants' proffer statement has not been approved as to legal form, and additional review and discussion of recent applicant revisions dated January 14, 2009, is anticipated.

#### **D. ZONING ORDINANCE CRITERIA FOR APPROVAL**

*Section 1208.2 of the 1972 Loudoun County Zoning Ordinance states "The Board shall determine that the following requirements are met, or be assured that they will be met, in acting upon a petition to change the zoning boundaries or classification of property on the zoning map:"*

Standard      *1208.2.1 Relation to major roads. Except as otherwise specifically provided herein, parcels which are the subject of requests for changes of zoning classification shall be so located with respect to arterial or collector roads as to provide direct access to such parcel without creating increased traffic along minor streets in residential neighborhoods outside the district. Neither enlargement nor extension of such arterial or collector roads shall be required in a manner, form, character, location, degree, scale, or at such time, as would result in a higher net public cost than would development and forms generally permitted under existing zoning on the parcel or parcels which are the subject of the petition.*

Analysis      The Applicants' traffic impact analysis does not indicate increased traffic along minor streets in residential neighborhoods outside the district. However, the failing Level of Service (LOS) of the Waxpool Road / Pacific

Boulevard intersection continues to be discussed to determine if additional mitigation measures are necessary.

Standard      *1208.2.2 Relation to utilities. Except as otherwise specifically provided herein, districts shall be so located in relation to sanitary sewers, water lines, storm and drainage systems and other utilities systems and installations, that neither enlargement nor extension of such system will be required in a manner, form, character, location, degree, scale, or at such time, as would result in a higher net public cost than would development in forms generally permitted under existing zoning on the parcel or parcels which are the subject of the zoning petition.*

Analysis      The subject property will be served by an extension of public water and sewer otherwise provided to the Dulles 28 Centre and adjacent developments. All utilities will be designed and constructed in accordance with applicable County and State standards.

Standard      *1208.2.3 Relation to public facilities. Except as otherwise specifically provided herein, districts shall be so located, designed and scaled with respect to necessary public facilities, including in the case of development of a residential character, public schools, parks, recreational sites, open spaces and other facilities, that the net public cost is not greater than the public cost as would result under the existing zoning of the parcel.*

Analysis      The requested amendment does not propose residential development. Commitments to public open space and civic space in accordance with Revised General Plan (RGP) policies continue to be discussed.

Standard      *1208.2.4 Additional public facilities. Except as otherwise specifically provided herein, the zoning classification of parcels which are the subject of requests for changes of their classifications, shall not be changed if development, as would be permitted under the new classification, would create the need or necessity for additional public facilities, including, in the case of development of a residential character, public schools, parks, recreational sites, open spaces and other facilities, and the net public costs would be greater than the public costs for the public facilities necessitated by development as permitted under the existing zoning of the parcel.*

Analysis      As noted above, residential development is not proposed. Commitments to public open space and civic space in accordance with Revised General Plan (RGP) policies continue to be discussed.

**ZCPA 2007-0003 – Dulles 28 Centre  
PLANNING COMMISSION PUBLIC HEARING  
February 19, 2009**

<b>VI. ATTACHMENTS</b> (UNLESS NOTED OTHERWISE, ATTACHMENTS ARE NOT AVAILABLE ELECTRONICALLY BUT MAY BE OBTAINED FROM THE DEPARTMENT OF PLANNING)	<b>PAGE NUMBER</b>
<b>1. Review Agency Comments</b>	
a. Planning, Comprehensive Planning (01/28/09,08/13/08,10/14/07)	A-1
b. Building and Development, Zoning (08/05/08,11/08/07)	A-27
c. Building and Development, ERT (09/03/08,11/13/07)	A-31
d. Office of Transportation Services (09/23/08,11/19/07)	A-39
e. Virginia Department of Transportation (08/01/08,10/16/07)	A-51
f. Parks, Recreation, and Community Services (07/28/08,11/09/07)	A-55
g. Loudoun County Sanitation Authority (10/18/07)	A-59
h. Building and Development, ERT Archaeologist (11/08/07)	A-61
i. Health Department (08/22/07)	A-63
<b>2. Applicant's Response to Referral Comments</b> (01/15/09,07/03/08)	A-65
<b>3. Applicant's Statement of Justification</b> (01/14/09)	A-91
<b>4. Applicant Draft Proffer Statement</b> (01/14/09)	A-105
<b>5. Disclosure of Real Parties in Interest</b> dated January 16, 2009	A-111
<b>6. Dulles 28 Centre Open Space Area Exhibits</b>	A-133
<b>7. Plat / Concept Development Plan</b> (revised 12/18/08)	Follows A-134